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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Advanced Television Systems)
and Their Impact upon the) MM Docket No. 87-268
Existing Television Broadcast)
Service)

To: The Commission

COMMENTS OF
PULITZER BROADCASTING COMPANY
ON EX PARTE SUBMISSIONS

Pulitzer Broadcasting Company ("Pulitzer"), the licensee of nine television broadcast stations, two television satellite stations, and the permittee of a third television satellite station,¹ by its attorneys, hereby submits comments on the recent ex parte submissions in the above-referenced proceeding by: (1) the Association for Maximum Service Television, Inc. and other broadcasters ("MSTV"); and (2) the Association of Local Television Stations, Inc. ("ALTV"). Both of these submissions are the subjects of a recent Public Notice inviting public comment.²

¹ Pulitzer, either directly or through wholly-owned subsidiaries, is the licensee of the following television broadcast stations: WDSU, New Orleans, LA; WESH, Daytona Beach, FL; WGAL, Lancaster, PA; WLKY, Louisville, KY; WXII, Greensboro, NC; WYFF, Greenville, SC; KCCI, Des Moines, IA; KETV, Omaha, NE; and KOAT, Albuquerque, NM. In addition, Station KOAT operates satellite television stations KOCT, Carlsbad, NM and KOVT, Silver City, NM, and is the permittee for Station KOFT, Gallup, NM.

² Public Notice, "FCC Seeks Comment on Filings Addressing Digital TV Allotments (MM Docket No. 87-268)," released Dec. 2, 1997.

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I. PULITZER ENCOURAGES THE COMMISSION TO MINIMIZE THE CHANGES TO THE DTV TABLE OF ALLOTMENTS WHEN ADDRESSING SERIOUS PROBLEMS OF DTV-TO-DTV INTERFERENCE.

In the Sixth Report and Order, the Commission adopted a nationwide digital television ("DTV") Table of Allotments. On November 20, 1997, MSTV made an ex parte submission to the Commission ("MSTV Ex Parte Submission") containing, among other things, an "FCC DTV Table" (the "Corrected Table") with "corrected coverage and interference figures."³ The Corrected Table is based on new information, recently uncovered by industry research that neither the Commission nor the industry groups were aware of previously.⁴ The new information indicates that previous assumptions about DTV-to-DTV channel spacings under certain circumstances were incorrect.⁵ MSTV states that it has based its analyses upon this new information.⁶

³ See "Ex Parte Submission Based on New Technical Discoveries to Help the Commission Improve the DTV Table of Allotments/Assignments" in MM Docket No. 87-268, submitted on November 20, 1997 by the Association for Maximum Service Television, Inc., and Other Broadcasters ("MSTV Ex Parte Submission"), Exhibit 1B.

⁴ The Advanced Television Technology Center ("ATTC") found that typical DTV-to-DTV adjacent channel performance was 20 decibels (20 dB) worse than that assumed by the industry and the FCC to develop the DTV Table of Allotments. See "An Evaluation of the FCC RF Mask for the Protection of DTV Signals from Adjacent channel DTV Interference" Advanced Television Technology Center, Inc., Document No. 97-06 (July 17, 1997), submitted to the Commission in MM Docket No. 87-268 as Exhibit 2C to the MSTV Ex Parte Submission.

⁵ See MSTV Ex Parte Submission, p. 6 and Appendix 2.

⁶ MSTV Ex Parte Submission, note 17.

MSTV's Corrected Table indicates that Pulitzer's station WGAL(TV), Lancaster, Pennsylvania ("WGAL") would not attain the amount of DTV coverage and the amount of replication stated in the Sixth Report and Order.⁷ Indeed, the Corrected Table indicates that WGAL would attain only 20,552 square kilometers of DTV coverage, fully 3,425 square kilometers less than the DTV coverage estimated in the Sixth Report and Order. Moreover, the reduced DTV coverage would result in only 90.9 percent replication of WGAL's current interference-free NTSC coverage area -- a reduction in replication of 7.9 percent.

The MSTV Ex Parte Submission advocates the adoption of specific improvements to the DTV Table of Allotments to correct among other things the DTV-to-DTV adjacent channel interference problem described above.⁸ The improvements advocated by MSTV include some 357 changes to the DTV Table of Allotments. These changes address 230 cases of unintended DTV-to-DTV interference in the Sixth Report and Order. However, on the basis of the information provided in the MSTV Ex Parte Submission, it was not possible for Pulitzer to determine how many of the 357 recommended changes would be necessary to rectify the predicted

⁷ DTV Channel 58 was assigned to WGAL(TV), Lancaster, Pennsylvania ("WGAL") for DTV use. The Commission estimated that this DTV Channel assignment would provide DTV service to an area of approximately 23,977 square kilometers, serving 3,423,000 people. This amount of DTV coverage was said to provide approximately 98.8 percent replication of WGAL's current NTSC coverage area based on operations at the maximum permissible DTV transmission power and antenna height. Sixth Report and Order, Appendix B, Table 1, p. B-11.

⁸ See MSTV Ex Parte Submission, 8-10 and Exhibit 1B.

DTV interference to WGAL's DTV Channel 58 assignment.

Previously, WGAL expressed its concerns about the many uncertainties surrounding DTV channel assignments in the Pennsylvania region,⁹ and it is evident in the record of this proceeding that the problems affecting many stations are regional in nature. The Improved Table represents not only improvements to address DTV-to-DTV interference problems, but also improvements to the outcomes for many stations within acute problem areas.

The MSTV Ex Parte Submission alone does not permit Pulitzer to judge whether the Improved Table, including its proposed change in WGAL's DTV channel assignment from 58 to 64, is either the only acceptable solution, or even the best solution among the alternatives, to improve WGAL's DTV coverage and replication. Given the many uncertainties, Pulitzer takes no position on the Improved Table contained in the MSTV Ex Parte Submission at this time. In any event, Pulitzer strongly prefers that DTV Channel 58 remain assigned to WGAL in lieu of DTV Channel 64, if WGAL's DTV coverage and replication can be improved on Channel 58 through other changes in the DTV Table of Allotments, or through improvements in technology, without increasing interference to WGAL's NTSC Channel 8 operations during the transition.

⁹ See Consolidated Opposition of Pulitzer Broadcasting Company to Supplements to Petitions for Reconsideration in MM Docket No. 87-268, filed September 23, 1997.

II. PULITZER OPPOSES THE ALTV PROPOSAL FOR AUTOMATIC ONE-MEGAWATT POWER INCREASES.

The ALTV Ex Parte Submission advocates the adoption of an across-the-board DTV transmission power increase to one megawatt for all NTSC UHF stations provided that beam tilt or other interference abatement methods are utilized. Pulitzer opposes the presumption that such across-the-board power increases can be made in all cases without resulting interference to other stations. Clearly, it is quite likely that interference will result in many cases from such DTV power increases. Not only will there be significant signal reflection and receiver overload situations resulting from "hot spots" throughout close-in areas due to large amounts of beam tilt with one megawatt of power, but the effects of beam tilt may vary from time-to-time with the wind sway of tall towers and atmospheric conditions.

The high probability of interference to other stations from such across-the-board power increases is expressly acknowledged by ALTV. Indeed, the ALTV proposal includes an interference dispute resolution proposal. However, the ALTV proposal would unfairly shift the burden-of-proof in interference cases onto stations that would be victimized by the resulting interference. For many reasons, this is an ill-advised approach.

At a crucial time when Pulitzer's station resources will be devoted the acquisition and construction of DTV facilities, the Commission should not increase its burdens by requiring its stations to engage in interference battles in order

to protect their service. The documentation and prosecution of interference complaints would require substantial engineering and financial resources by the stations, and would consume substantial administrative resources at the Commission. In sum, the ALTV proposal would have the negative effect of diverting resources -- both government and private -- from the primary goal of implementing a smooth and effective transition in terrestrial broadcasting from analog to digital transmission technology.

Pulitzer does not oppose the use of beam tilt or other interference abatement techniques per se. Certainly, if stations can demonstrate that such techniques will prevent interference as part of an affirmative showing in applications for modification pursuant to the Commission's existing policy permitting maximization of DTV facilities, then the Commission should permit the use of such techniques. However, the stations that apply for such increases in authorized DTV transmission power and antenna height should bear the entire burden of proving to the Commission in advance that such increases will not result in objectionable interference to other stations.

III. CONCLUSION.

Pulitzer is strongly committed to the implementation of DTV at each of its stations. Pulitzer urges the Commission to minimize the changes to the DTV Table of Allotments on reconsideration, while addressing only the serious problems in the DTV Table of Allotments in the Sixth Report and Order raised in the reconsideration phase of this proceeding. Pulitzer

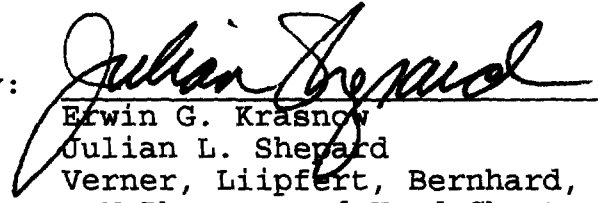
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strongly opposes the proposal of ALTV to permit across-the-board one-megawatt power increases for certain stations, while forcing the vast majority of other stations injured by such power increases to initiate formal interference complaints before the Commission to protect their rights.

Respectfully submitted,

PULITZER BROADCASTING COMPANY

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